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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [KPAO](#) [TS](#)
SUBJECT: PROTAGONIST WHO BLOCKED PROMINENT HUMAN RIGHTS
ORGANIZATION EXPRESSES REGRET

REF: A. TUNIS 39
[1](#)B. 07 TUNIS 1076

Classified By: Ambassador Robert F. Godec for reasons 1.4 (b) and (d)

Summary

[1](#)1. (C) As his legal dispute with the Tunisian Human Rights League (LTDH) stretches into its eighth year, Chedli Ben Younes seems both disillusioned with the GOT, on whose behest he is purported to have filed the suit, and regretful that his former colleagues on the left see him as a "sellout" for hobbling the organization. Ben Younes indicated that he was open to renewed talks with LTDH President Mokhtar Trifi, going so far as to say that he would welcome the Embassy acting as a mediator. However, Ben Younes said that the success or failure of such talks would ultimately rest with the GOT, and he opined that some factions on both sides do not want to see the situation resolved. Despite GOT arguments that the LTDH crisis is an "internal matter," both sides in the LTDH dispute view GOT buy-in as critical to a resolution, but discord within the government may prevent any conclusion in the near future. End Summary.

The LTDH...it's Complicated

[1](#)2. (C) Because of allegations that improper procedure was followed in the 2000 Tunisian Human Rights League elections, a court ruled in 2001 that the results were invalid and banned all LTDH activities bar those preparing for a new party congress. Before a new Congress could be held, LTDH President Mokhtar Trifi (acting as a court appointed judicial administrator) merged several chapters, reducing their number from 41 to 24. In response, some LTDH members (including attorney Chedly Ben Younes) filed suit. A year ago, the courts ruled that the party congress could only be held with the participation of all 41 chapters. Enforcement of the ruling (manifested by plainclothes policemen stationed outside LTDH offices and the disruption of attempted meetings by GOT-security forces) prevents, in effect, the LTDH from doing anything, including preparations for a new party congress regardless of the number of chapters participating.

[1](#)3. (C) PolOffs met with Chedli Ben Younes, one of three existing plaintiffs in the lawsuits, on January 30. Perhaps signaling a rupture in the pro-GOT faction, the other plaintiffs chose not to attend, although they have done so previously (Ref B). Ben Younes claimed that he was not politically motivated when he filed suit for alleged procedural law violations. Involved with LTDH since its

founding, Ben Younes acknowledged that he is seen as a "sellout" by former close associates in the human rights community. Although the suit may be the origin of the LTDH's current legal problems, Ben Younes alluded that the dispute's persistence (and ultimate resolution) has more to do with GOT attitudes than his.

Say What You Have To Say

¶4. (C) Ben Younes indicated that the GOT views the LTDH as an opposition party, rather than a human rights NGO. He opined that the courts should appoint a new judicial administrator for the LTDH, but thanks to GOT harassment of the LTDH's current administrator (and elected President), Mokhtar Trifi, no one wants the job. Ben Younes indicated that he is open to a number of potential outcomes to the impasse. His preferred outcome would be holding a new Congress with the original 41 chapters. If this were not acceptable to Trifi and the LTDH directors, Ben Younes said he would withdraw his complaint if elections with 31 chapters were held (the consolidated 24 chapters, plus the seven original chapters that filed suit protesting the mergers). Ben Younes said that he would be willing to have the US Embassy act as a mediator. He added, however, that even if he withdrew his complaint, there was no guarantee that no other LTDH member would take umbrage at the new elections and file a new suit, once again tying the hands of the LTDH. The only guarantee to prevent such a lawsuit, according to Ben Younes, would be to hold elections with the original 41 chapters. He indicated, though, that the GOT might also be able to serve as a "guarantor" of any settlement.

¶5. (C) Ben Younes contradicted himself numerous times. For example, he painted Trifi as refusing to accept that the GOT has no role in the LTDH crisis while opining that no agreement will work without the endorsement of the GOT. Ben Younes also said that governmental Higher Commission for Human Rights and Fundamental Liberties (HCHR) President Moncer Rouissi was acting as a mediator between Ben Younes and Trifi, i.e., not between Trifi and the GOT. In fact, Ben Younes did not learn of the attempted mediation until after it occurred. He claimed at one point that Trifi does not want to negotiate, but subsequently said that LTDH board members (who would not be able to run for office again due to term limits) are preventing Trifi from negotiating, as well as members of the GOT who do not want to see the situation resolved.

¶6. (C) Press reports in late 2007 hinted that a resolution was near, but PolOffs' January 8 conversation with Trifi indicated that negotiations between him and the HCHR were derailed after the HCHR failed to make good on its promises (Ref A). Following statements to the press by Trifi expressing disappointment with the situation, HCHR President Moncer Rouissi publicly refuted that he was acting as a negotiator on behalf of the GOT. Despite subsequent statements that the crisis is an internal LTDH matter, Ben Younes's comments indicated that he has been somewhat removed and marginalized from Trifi's discussions with Rouissi. After Rouissi's and Trifi's statements to reporters, press reports have been pessimistic about a resolution.

Comment

¶7. (C) Ben Younes was noticeably disillusioned with the stalemate. Despite repeated GOT-insistence that the LTDH crisis is an "internal matter," both sides in the LTDH dispute feel the GOT must sanction any agreement. Rouissi's hot and cold mediation seems to indicate that there are conflicting views within the GOT concerning the LTDH, and neither side has yet gained a definitive upper hand. International pressure to resolve the situation continues, with the matter being closely followed by both the Embassy

and several European missions. Though this pressure might be successful in bringing concerned parties back to the bargaining table, without the endorsement of the GOT, a lasting resolution is unlikely. End Comment.

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